

DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
REBEKKAH BODOFF, ESQ.
Nevada Bar No. 12703
JARED M. SECHRIST, ESQ.
Nevada Bar No. 10439
AKERMAN LLP
1635 Village Center Circle, Suite 200
Las Vegas, NV 89134
Telephone: (702) 634-5000
Facsimile: (702) 380-8572
Email: darren.brenner@akerman.com
Email: rebekkah.bodoff@akerman.com

Attorneys for CitiMortgage, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CITIMORTGAGE, INC.,

Plaintiff,

v.

TIERRA DE LAS PALMAS OWNERS
ASSOCIATION; RICARDO FOJAS; and
ABSOLUTE COLLECTION SERVICES, LLC;

Defendants.

Case No.: 2:16-cv-00610-JCM-CWH

**STIPULATION AND ORDER OF FINAL
JUDGMENT AND QUIET TITLE; AND
FOR DISMISSAL WITH PREJUDICE**

CitiMortgage, Inc. (**CMI**), Tierra de las Palmas Owners Association, Ricardo Fojas, and Absolute Collection Services, LLC stipulate as follows:

1. This matter relates to real property located at 5143 Marshall Island Court, North Las Vegas, Nevada 89031, APN 124-32-712-007 (**property**). The property is more specifically described as:

Lot Seven (7) in Block One (1) of Tierra de las Palmas Village 3 – Unit 1, as shown by map thereof on file in Book 84 of Plats, Page 18 in the Office of the County Recorder of Clark County, Nevada.

2. CMI is the beneficiary of record of a deed of trust encumbering the property that was recorded on May 15, 2006, as instrument number 20060515-0003840 with the Clark County Recorder (**deed of trust**).

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1 3. On May 16, 2013, Tierra recorded a trustee's deed upon sale as instrument number
2 201305160003891 with the Clark County Recorder (**HOA foreclosure deed**), reflecting Marshall
3 Family Trust purchased the property at a foreclosure sale of an HOA lien held on May 14, 2013 (the
4 **HOA sale**).

5 4. Fojas was at the time and remains the sole beneficiary of the Marshall Family Trust.

6 5. Marshall Family Trust, through Fojas, conveyed his interest in the property to Ricardo
7 Fojas as reflected by the deed recorded in the Clark County Recorder's Office on September 22,
8 2017, as Instrument No. 20170922-0003383, and corrective deed recorded September 25, 2017 as
9 Instrument No. 20170925-0001799.

10 6. On March 18, 2016, CMI filed a quiet title action against Tierra, Marshall Family
11 Trust, and Absolute in the United States District Court, District of Nevada, Case No. 2:16-cv-00610
12 asserting Tierra's foreclosure of its lien as reflected by the HOA foreclosure deed did not extinguish
13 the deed of trust.

14 7. CMI, Tierra, Fojas, and Absolute entered a settlement agreement in which they have
15 settled all claims between them in this case.

16 8. Among other things, Fojas has transferred all interest it acquired, individually and as
17 trustee of the Marshall Family Trust, as a result of the HOA sale, HOA foreclosure deed, and its
18 subsequent conveyance to CMI.

19 9. Among other things, the parties agree that title to the property is quieted in favor of
20 Citibank, N.A. Fojas disclaims all right, title, or interest in the property as a result of the HOA sale
21 and the HOA foreclosure deed (including the September 25, 2017 conveyance to himself).

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10. The complaint is dismissed with prejudice, with each party to bear their own fees and costs.

Wherefore, the undersigned request this Court enter an Order granting the above stipulation.

Dated this 30th day of August, 2018.

Dated this 30th day of August, 2018.

AKERMAN LLP

PENGILLY LAW FIRM

/s/ Jared M. Sechrist
DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
REBEKKAH BODOFF, ESQ.
Nevada Bar No. 12703
JARED M. SECHRIST, ESQ.
Nevada Bar No. 10439
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134
Attorneys for CitiMortgage, Inc.

/s/ Elizabeth B. Lowell
JAMES W. PENGILLY, ESQ.
Nevada Bar No. 8551
ELIZABETH B. LOWELL, ESQ.
Nevada Bar No. 8551
1995 Village Center Cir., Suite 190
Las Vegas, Nevada 89134
Attorney for Tierra de las Palmas Owners Association

Dated this 30th day of August, 2018.

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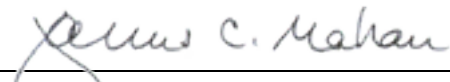
RICARDO FOJAS

ABSOLUTE COLLECTION SERVICES, LLC

/s/ Ricardo Fojas
RICARDO FOJAS
P.O. BOX 400683
Las Vegas, Nevada 89140
Pro se

/s/ Shane D. Cox
SHANE D. COX, ESQ.
Nevada Bar No. 13852
8440 W. Lake Mead Blvd., Ste. 210
Las Vegas, Nevada 89128
Attorney for Absolute Collection Services, LLC

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

DATED: September 6, 2018